

Introduced by Senator Lieu

February 20, 2014

An act to add Section 2623.5 to the Public Resources Code, relating to geological hazards.

LEGISLATIVE COUNSEL'S DIGEST

SB 1155, as introduced, Lieu. Geological hazards: approval of projects.

Under the Alquist-Priolo Earthquake Fault Zoning Act, prior to approving a project within an earthquake fault zone, a city or county is directed to require the preparation of a geologic report, subject to certain exceptions. The act authorizes cities and counties to, among other things, establish stricter policies and criteria, and impose and collect specified additional fees.

This bill would require a city or county, prior to approval of a project within a delineated earthquake fault zone, where mapping to identify seismic hazard zones has not been completed, to determine that either the project has a minimum setback of 75 feet from any mapped active trace fault or the project is not located on an active trace fault as determined by a geological site investigation. By expanding the duties of local officials in the process of approving a project, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 2623.5 is added to the Public Resources Code, to read:

2623.5. (a) This section shall apply to a project within a delineated earthquake fault zone, as determined pursuant to Section 2622, where mapping to identify seismic hazard zones pursuant to Sections 2695 and 2696 has not been completed.

(b) A city or county shall determine, prior to approval of a project described in subdivision (a), either of the following:

(1) The project has a minimum setback of 75 feet from any mapped active trace fault identified in the 2010 Fault Activity Map of California, completed by the California Geological Survey.

(2) The applicant has performed or caused to be performed a geological site investigation that has determined that there is no active trace fault beneath the footprint of the project.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.